

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

UNITED STATES OF AMERICA	)	
	)	Case No. 1:19-cr-102
v.	)	
	)	Judge Travis R. McDonough
LATONYA PITTS	)	
	)	Magistrate Judge Susan K. Lee
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**ORDER**

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Magistrate Judge Susan K. Lee filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw her not-guilty plea as to Count One of the two-count Indictment; (2) accept Defendant's guilty plea to the lesser-included offense of the charge in Count One of the Indictment, conspiracy to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C); (3) adjudicate the Defendant guilty of the lesser-included offense of the charge in Count One of the Indictment, conspiracy to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C); (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) keep Defendant on bond under appropriate conditions of release pending sentencing in this matter (Doc. 69). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 69) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw her not-guilty plea as to Count One of the Indictment is **GRANTED**;
2. Defendant's plea of guilty to the lesser-included offense of the charge in Count One of the Indictment, conspiracy to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C), is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty to the lesser-included offense of the charge in Count One of the Indictment, conspiracy to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C);
4. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
5. Defendant will remain on bond under appropriate conditions of release pending sentencing in this matter which is scheduled to take place on **May 15, 2020 at 2:00 p.m. [EASTERN]** before the undersigned.

**SO ORDERED.**

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH  
UNITED STATES DISTRICT JUDGE**